

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MICHIGAN (GRAND RAPIDS)**

**IN THE MATTER OF:**

James F. Wynn,

Debtor.

Bankruptcy Case No. 15-01621-jwb  
Honorable James W. Boyd  
Chapter 7

**TRUSTEE'S MOTION TO COMPEL RULE 2004 EXAMINATION  
OF DEBTOR, JAMES F. WYNN AND FOR THE PRODUCTION OF DOCUMENTS**

Kelly M. Hagan, Trustee ("Trustee"), by and through her counsel, Beadle Smith, PLC, and hereby states for Trustee's Motion to Compel Rule 2004 Examination of Debtor, James F. Wynn, ("Motion") as follows:

1. On March 22, 2015, James F. Wynn filed a Chapter 13 Bankruptcy in the Western District of Michigan. On April 20, 2015, it was converted to a Chapter 7.
2. Subsequent to the aforementioned filing, Kelly M. Hagan was appointed the duly qualified and acting Trustee in this matter.
3. In order for Trustee to fulfill her responsibilities, it is necessary to conduct a Rule 2004 Examination of the Debtor to assist her in investigating the financial affairs of the Debtor and for the Debtor to produce documents previously requested by the Trustee.
4. Trustee would like to conduct the examination on November 5, 2015 beginning at 12:00 p.m. at the law office of Kelly M. Hagan, located at 511 Depot View Drive, No. 21, Traverse City, MI 49686.
5. Bankruptcy Rule 2004(a) states that "on motion of a party in interest, the court may order the examination of any entity." The scope of an examination sought under Bankruptcy Rule 2004 may relate to "the acts, conduct or property or to the liabilities and financial condition of the debtor, or to any matter which may affect the administration of debtor's estate." Fed.R.Bankr.P.2004(b).
6. The Trustee has requested that the following documents/information be provided to the Trustee, however, these items remain outstanding: (1) Statements and registers for two (2)

Chase accounts ending in 8474 and 7531 and for First Community ending in 6386, for the period covering March 1, 2013 through the present (Debtor did provide First Community statements for 9/14 through the closing of the account); (2) Any QuickBooks or any other accounting software data regarding the Debtor's financial transactions and the financial transactions of entities in which Debtor held an ownership interest; (3) The source of and documents to support the following deposits: A. 12/26/14 - \$10,000.00 deposit into Chase Acct. 6298; B. 01/22/14 - \$100,000.00 deposit into Chase Acct. 6298; C. 03/20/15 - \$8,000.00 wire from Mark T. Irwin into Chase Acct. 6298; and (4) The source of and documents to support the following transfers: A. 12/30/14 - Wire to Robbi Karas \$2,500.00; B. 01/23/15 - Wire to Robbi Karas \$5,000.00; C. 01/23/15 - Wire to Tim McArthur \$51,562.21 and D. 01/26/15 - Wire to Jim Schumann \$3,807.96 (collectively referred to as "Documents").

**WHEREFORE**, Trustee respectfully requests this Court to order the Debtors to appear for a Rule 2004 Examination to be conducted by Trustee's counsel, Kevin M. Smith, on November 5, 2015 beginning at 12:00 p.m. at the law office of Kelly M. Hagan, located at 511 Depot View Drive, No. 21, Traverse City, MI 49686, the order of the production of Documents and for such other and further relief this Court deems just and proper.

Respectfully submitted,

BEADLE SMITH, PLC

/s/ Kevin M. Smith

By: Kevin M. Smith (P48976)

Attorneys for Trustee

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Date: October 13, 2015